

931842

Jacobsville 202 E Maryland St.
Dietrich, Chris
to:
MARY TIERNEY
10/09/2012 03:20 PM
Cc:
"Reiter, Cory"
Show Details

History: This message has been forwarded.

Mary,

For your information, we completed cleaning the air conditioning unit at 202 E Maryland St. yesterday. Mr. Stark observed the first few minutes of the inspection by the AC technician and then left. He did mention that he

was taking legal action but overall was not negative. Mary Myrick did receive a call today from one of Mr. Stark's neighbors **Not Responsive**

called because he was concerned because Mr. Stark had asked him to verify claims that Chris Padilla physically threatened him, that you threatened to have his weapons permit revoked, and other false claims. He did say he had the incident on tape and it would be available for us to review. I don't know the exact details but apparently Mr. Stark is moving forward with filing charges.

Regards,

Chris Dietrich, PG
Project Geologist
Sullivan International Group, Inc.

125 S. Wacker Dr, Suite 220
Chicago IL 60606
Main: 312 443 0550
Cell: **Not Responsive**
Fax: 312-443-0557
www.onesullivan.com

Jacobsville 202 E Maryland St. Restoration Complete
Dietrich, Chris
to:
MARY TIERNEY
10/05/2012 04:02 PM
Cc:
"Reiter, Cory", "Ore, Chris"
Show Details

History: This message has been replied to and forwarded.

Mary,

Here is an update on 202 E Maryland St. We brought in additional fill and poured the concrete walkway Wednesday afternoon. Mr. Stark came out of his house without incident or additional accusations.

We returned to the site at 0800 October 4, 2012 to complete the restoration. Concrete forms were removed and the backyard was given a final grade and sodded. Mr. Stark came out of his house at 1000. He had issues with the sod, the final grading, and the installation of the fence. We informed him that the site was restored in kind and to the best of our ability. Mr. Stark re-iterated that he will be seeking legal action for trespassing and being threatened by an LES employee. We have notified him that we have scheduled his AC unit to be cleaned at 1530 Monday October 8, 2012. Mr. Stark has also made the addition claim that we have damaged part of his phone line and requests that we fix it.

Regards,

Chris Dietrich, PG
Project Geologist
Sullivan International Group, Inc.
125 S. Wacker Dr, Suite 220
Chicago IL 60606
Main: 312 443 0550
Cell: Not Responsive
Fax: 312-443-0557
www.onesullivan.com



Re: Work at 202 E Maryland

jim jr

to:

MARY TIERNEY

10/02/2012 12:42 PM

Hide Details

From:

To: MARY TIERNEY/R5/USEPA/US@EPA,

Not Responsive

Please respond to Not Responsive >

History: This message has been replied to.

That will be fine. Do you know what time you will be arriving?

Thanks Mary

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>

To: Not Responsive

Sent: Tuesday, October 2, 2012 12:37 PM

Subject: Work at 202 E Maryland

Mr. Stark,

We will be by tomorrow morning to go over the details of the work on your property. If everyone has the same understanding of the work to be done, and if the weather cooperates, we'll proceed with the work tomorrow and will aim to finish by Thursday. Before placing the sod, we will fill any low spots so that the yard is level. I have also asked the contractor to arrange for your AC unit to be serviced, although this may have to wait until after the work is complete. Regarding the mold that you mentioned, I would like to see what it is you are referring to.

Thanks very much.

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

Keep pets off 30 dys

Re

tomorrow Friday

photos / Clear vegetation / framing sidewalk

Fill - today
tomorrow

Sod - tomorrow

sidewalk - tomorrow afternoon at earliest

next week
fence - tomorrow / Fri / Sat

Re: Work at 202 E Maryland
jim jr
to:
MARY TIERNEY
10/02/2012 12:42 PM
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Thanks Mary
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To: Not responsive
Sent: Tuesday, October 2, 2012 12:37 PM
Subject: Work at 202 E Maryland

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Thanks very much.

Mary Tierney
U.S. EPA (SR-6J)

77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

To: Not Responsive

Cc:

Bcc:

John Tielsch/R5/USEPA/US,

Subject:

Work at 202 E Maryland

This message will be sent with a digital signature.

Mr. Stark,

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Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

To: Not Responsive
Cc:

Bcc:
John Tielsch/R5/USEPA/US,
Subject:
Work at 202 E Maryland

This message will be sent with a digital signature.

Dear Mr. Stark,

Will you be available on Wednesday, October 3rd, and Thursday, October 4th? Those are two days that we have open when we could do the work at your property. The contractors believe they can complete the work in two days as long as the weather is okay. Please let me know if October 3 and 4 will work for you. They could start at 8:00 am.

The work we would be able to do next week is:

Place sod in front and back yard
Replace sidewalk in back yard from back of house to the north fence line
Repair chain-link fence in back yard
Water sod in front yard for 30-day period -- no access to property required
Water sod in back yard for 30-day period -- access to property will be required for the 30-day period

Please note that in order to water the sod in the back yard over the 30-day period, the contractors would need access to your back yard during this time.

Thank you.

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov



Re: Work at 202 E Maryland
 jim jr
 to:
 MARY TIERNEY
 09/28/2012 12:07 PM
 Hide Details
 From: Not Responsive
 To: MARY TIERNEY/R5/USEPA/US@EPA,

Please respond to Not Responsive

Dear Ms. Tierney,

I first thank you for your timely response. With that said I now refer you back to my last email. I advised you more than once that my yard is now full (covered) in 'mold'. Doing things 'by the book' (Which is what Dave was slapping his hands and telling me it was all they had to do) you have to put my property back and or in better condition. << isn't that interesting, given what has been done and documented to me? You (contractors) never put the fill in correct. I have many pictures (up to present) on how water would pool all over and stand causing mold to grow everywhere. I know you cannot leave 'mold' that you caused all over my yard. EPA fills yard with MOLD? The fill has to be removed and replaced with clean fill. This should be the first thing on your list. You cannot throw sod over a unlevel and mold filled yard (both problems you created). There is also no mention now of servicing my A/C that you also damaged (and has been on every list except this one)? It may be cooling off, but the damage was still done and it still exists. It has to be serviced. Going by the book (since its obvious you chose not to be honorable and do what was agreed, which I have proved more than one way) you need to send one of the 'many' workers I see daily before the 3rd or 4th to quit quessing what needs done and actually see and put in writing what needs done. This in no way releases you from me persuing and seeking legal actions for what you have done to me and for breaking contract. It will however stop the long list of crimes committed against me. Mary, again I thank you. I will be available the 3rd and 4th, but for above stated reasons, I really believe someone needs to come out and make a revised list of work to be done. Thanks Again

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>
To: Not Responsive
Sent: Thursday, September 27, 2012 7:32 PM
Subject: Work at 202 E Maryland

Dear Mr. Stark,

Will you be available on Wednesday, October 3rd, and Thursday, October 4th? Those are two days that we have open when we could do the work at your property. The contractors believe they can complete the work in two days as long as the weather is okay. Please let me know if October 3 and 4 will work for you. They could start at 8:00 am.

The work we would be able to do next week is:

Please note that in order to water the sod in the back yard over the 30-day period, the contractors would need access to your back yard during this time.

Thank you.

Mary Tierney
 U.S. EPA (SR-6J)
 77 West Jackson Blvd.

Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov



Work at 202 E Maryland

MARY TIERNEY to: Not Responsive

Bcc: John Tielsch

09/27/2012 07:32 PM

Dear Mr. Stark,

Will you be available on Wednesday, October 3rd, and Thursday, October 4th? Those are two days that we have open when we could do the work at your property. The contractors believe they can complete the work in two days as long as the weather is okay. Please let me know if October 3 and 4 will work for you. They could start at 8:00 am.

The work we would be able to do next week is:

- Place sod in front and back yard
- Replace sidewalk in back yard from back of house to the north fence line
- Repair chain-link fence in back yard
- Water sod in front yard for 30-day period -- no access to property required
- Water sod in back yard for 30-day period -- access to property will be required for the 30-day period

Please note that in order to water the sod in the back yard over the 30-day period, the contractors would need access to your back yard during this time.

Thank you.

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov



Re: Completion of work at 202 E Maryland

jim jr

to:

MARY TIERNEY

09/26/2012 01:22 PM

Hide Details

From: Not Responsive

To: MARY TIERNEY/R5/USEPA/US@EPA,

Please respond to Not Responsive

History: This message has been forwarded.

Ms. Tierney,

Thank you for your response. It is however unexceptable. You have been given permission to put my property back. I have waited yet another week to see if 'anyone' is going to contact me on this matter. No one has? Mary, my yard was one of the first 'destroyed' this year (illegally). You are well aware of my health conditions, but yet my backyard sits an unlevel, molded mess? The front yard has never even had fill put in all summer. Yet another thing you destroyed. What do you thing that done to my presidential tree? Its roots snapped like driftwood. Now you say it 'may' be next year? I don't think so. Don't you have an obligation to put this back? I still see work being done all around me. I still see you starting 'new' jobs. I would think you would be worrying about the ones you have had tore up all summer more than you would starting new ones? I have made many attempts and concessions to get this work (again that has many legal issues involved) over with. To the point of where I have been forced to do what you have imposed on me this whole time. Let you put it back with the understanding anything less than the agreement that was made with me (and I still retain) would lead to a lawsuit at a later date when I am able. I basically have left the choice in your hands. 1 way is to honor what was told and proved. The other is to continue to punish me (for whatever reason you are doing this)? I don't see how you (or attorneys) can't see the continuing and ongoing acts you are committing against me? You have had my permission for some time now, with the understanding there is more work than what you have outlined (even at bare min). The yard is covered in mold as I told you long ago. That fill will have to be removed. Surely the 'EPA' understands the dangers of mold and does not think they can just throw grass over a very toxic and hazzardous condition that you caused? I also (because of everything that has transpired) reserve my right to be present when 'anything' is done to my property. You said you was not 'refusing'? How can you call it anything but if you do not put this yard back? Again thank you for your response and looking foward to seeing 'someone' here soon.

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>

To: Not Responsive >

Sent: Wednesday, September 19, 2012 6:47 PM

Subject: Re: Completion of work at 202 E Maryland

Mr. Stark,

I am looking into whether we can complete the work at your property this year. I will be in contact with you at the end of next week. We would have to schedule the work during the first or second week of October.

Thank you,
Mary Tierney

📧 jim jr ---09/17/2012 02:01:22 AM---Dear Ms. Tierney,

From: Not Responsive

To: MARY TIERNEY/R5/USEPA/US@EPA,

Date: 09/17/2012 02:01 AM

Subject: Re: Completion of work at 202 E Maryland

Dear Ms. Tierney,

Or should this be addressed to your legal team? I'm so tired of this 'Do you really want to fight the the government stuff' it's making me sick (literally). Do you even understand the concept of what government is? Or who works for who? I can go over my rights and 'all' the 'many' laws you broke, the broke, the way I was lied to and made hollow promises so you could cover your tracks (not accept responsibility for what you, your representatives, and contractors have done to me). As I've said 'many' 'many' times, I can prove everything I've said and say (you even tricked me into sending you 'some' of 'some' of my evidence). Lets get to this email though. I emailed you yet another concession on my part just a while back (never got any kind of response at all). I had to call you 'twice' and explain I can I can now add 'refusal' to the list. Yeah, it's a 'refusal'. I have said just what you said because of what you what you are and have put me through all summer. My yard is dirt, mud, and as I tried telling you, is you, is now 'covered' in mold. The 'EPA' covered my yard in mold! WOW! 1st as I've told you more times than I can count (you even wasted money that would have covered agreed work for you and 2 2 companions to come all the way here to get me to sign papers?). The thing is, why keep asking (you (you say you already had my permission, hmmm) me to sign papers? The only way I'm signing anything is if you complete the agreement made so I would not persue matters at that time. This email email serves as written permission to 'so call' finish work. With the understanding that I will never stop stop my persuit to sue you for what you've done. I offered you many options out of this (again, everything is documented) and you refused everyone of them. Even at that, it will not be done as you you outlined in your letters. The fill was never right is why it pooled and molded everywhere. You will will not come in and just throw sod over it? The molded fill has to be removed and put in correct. That's That's just one example, again, why go into it all right now? Someone needs to get out here (and quick) quick) to go over what is going to be done. Also as stated before, I reserve my right to be present when when anyone is on my property (to insure you do no more damage, what you are suspose to, and other other reasons). You have crews working (literally) all around my properties. Now would be the time to time to knock it out. You're going to leave it this way until mid 2013? Are you out of your mind? I have I have now agreed to you getting your way (for now) 100%. You have no excuse not to do, anything less less 'is' a refusal on your part. I haven't just been sitting around, as you are well aware of. I have learned learned lots more the longer this takes. Example, I learned you fired one of my main witnesses in this this matter? (Like so many other things, it ties directly to this case). I also know they was forced out of out of state and even where they are at present. Bottom line. Contact me in time to do the work before its before its to late (as you now say) to do it, and wait for the lawsuit to follow (which ironically is what what your companions rudely sugested to me when you three came down?). Or you could do (I know know this is going to sound crazy) the honerable thing and do the agreed upon work by your contractor contractor (that I still have saved message) and get your signature you so desperly seek and be released released of any farther actions on my behalf. Due to the time you have now put on this, I request a a speedy response as to which way you choice.

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>
To: Not Responsive
Cc: John Tielsch <Tielsch.John@epamail.epa.gov>
Sent: Monday, September 10, 2012 3:59 PM
Subject: Completion of work at 202 E Maryland

Dear Mr. Stark,

Thank you for your voice mail messages on Friday, September 7, 2012, and today, Monday, September 10, 2012. In your voice mail message today, you indicated that if U.S. EPA didn't respond to you by tomorrow, Tuesday, September 11, 2012, you would consider this to be a "refusal" to complete the work at your property.

U.S. EPA has not refused to complete the work on your property at 202 E Maryland at any time. In fact, U.S. EPA has requested access to complete the work at your property at 202 E Maryland on a number of occasions, including over the phone, in person and in writing. The two letters you received from U.S. EPA are attached.

U.S. EPA is ready to complete the work, as described in the attached letter dated July 9, 2012, as soon as we receive your signature. Please be aware, however, that we will likely be finishing this year's work in Evansville by the end of September. If we receive your signed agreement after we have removed the equipment from the site, we may need to defer the work on your property until 2013.

If you are in agreement with having U.S. EPA complete the work at your property, as described in the letter dated July 9, 2012, please sign the attached letter ("letter 7 09 2012 signed") and return it to me.

Thank you,

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

(See attached file: letter 7 09 2012 signed.pdf)

(See attached file: letter July 12 2012.pdf)

Re: Completion of work at 202 E Maryland
jim jr
to:
MARY TIERNEY
09/26/2012 01:22 PM
Please respond to jim jr
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From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>

To: ~~Not Responsive~~

Sent: Wednesday, September 19, 2012 6:47 PM

Subject: Re: Completion of work at 202 E Maryland

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Thank you,

Mary Tierney

jim jr ---09/17/2012 02:01:22 AM---Dear Ms. Tierney,

From: Not Responsive

>

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Date: 09/17/2012 02:01 AM

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To: Not Responsive >

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(See attached file: letter 7 09 2012 signed.pdf)

(See attached file: letter July 12 2012.pdf)



Re: Completion of work at 202 E Maryland

jim jr

to:

MARY TIERNEY

09/17/2012 02:01 AM

Hide Details

From: Not Responsive >

To: MARY TIERNEY/R5/USEPA/US@EPA,

Please respond to Not Responsive >

History: This message has been replied to and forwarded.

Dear Ms. Tierney,

Or should this be addressed to your legal team? I'm so tired of this 'Do you really want to fight the government stuff' it's making me sick (literally). Do you even understand the concept of what government is? Or who works for who? I can go over my rights and 'all' the 'many' laws you broke, the way I was lied to and made hollow promises so you could cover your tracks (not accept responsibility for what you, your representatives, and contractors have done to me). As I've said 'many' times, I can prove everything I've said and say (you even tricked me into sending you 'some' of my evidence). Lets get to this email though. I emailed you yet another concession on my part just a while back (never got any kind of response at all). I had to call you 'twice' and explain I can now add 'refusal' to the list. Yeah, it's a 'refusal'. I have said just what you said because of what you are and have put me through all summer. My yard is dirt, mud, and as I tried telling you, is now 'covered' in mold. The 'EPA' covered my yard in mold! WOW! 1st as I've told you more times than I can count (you even wasted money that would have covered agreed work for you and 2 companions to come all the way here to get me to sign papers?). The thing is, why keep asking (you say you already had my permission, hmmm) me to sign papers? The only way I'm signing anything is if you complete the agreement made so I would not pursue matters at that time. This email serves as written permission to 'so call' finish work. With the understanding that I will never stop my pursuit to sue you for what you've done. I offered you many options out of this (again, everything is documented) and you refused everyone of them. Even at that, it will not be done as you outlined in your letters. The fill was never right is why it pooled and molded everywhere. You will not come in and just throw sod over it? The molded fill has to be removed and put in correct. That's just one example, again, why go into it all right now? Someone needs to get out here (and quick) to go over what is going to be done. Also as stated before, I reserve my right to be present when anyone is on my property (to insure you do no more damage, what you are suppose to, and other reasons). You have crews working (literally) all around my properties. Now would be the time to knock it out. You're going to leave it this way until mid 2013? Are you out of your mind? I have now agreed to you getting your way (for now) 100%. You have no excuse not to do, anything less 'is' a refusal on your part. I haven't just been sitting around, as you are well aware of. I have learned lots more the longer this takes. Example, I learned you fired one of my main witnesses in this matter? (Like so many other things, it ties directly to this case). I also know they was forced out of state and even where they are at present. Bottom line. Contact me in time to do the work before its to late (as you now say) to do it, and wait for the lawsuit to follow (which ironically is what your companions rudely suggested to me when you three came down?). Or you could do (I know this is going to sound crazy) the honorable thing and do the agreed upon work by your contractor (that I still have saved message) and get your signature you so desptertly seek and be released of any farther actions on my behalf. Due to the time you have now put on this, I request a speedy response as to which way you choice.

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>

To: Not Responsive >

Cc: John Tielsch <Tielsch.John@epamail.epa.gov>

Sent: Monday, September 10, 2012 3:59 PM

Subject: Completion of work at 202 E Maryland

Dear Mr. Stark,

Thank you for your voice mail messages on Friday, September 7, 2012, and today, Monday, September 10, 2012. In your voice mail message today, you indicated that if U.S. EPA didn't respond to you by tomorrow, Tuesday, September 11, 2012, you would consider this to be a "refusal" to complete the work at your property.

U.S. EPA has not refused to complete the work on your property at 202 E Maryland at any time. In fact, U.S. EPA has requested access to complete the work at your property at 202 E Maryland on a number of occasions, including over the phone, in person and in writing. The two letters you received from U.S. EPA are attached.

U.S. EPA is ready to complete the work, as described in the attached letter dated July 9, 2012, as soon as we receive your signature. Please be aware, however, that we will likely be finishing this year's work in Evansville by the end of September. If we receive your signed agreement after we have removed the equipment from the site, we may need to defer the work on your property until 2013.

If you are in agreement with having U.S. EPA complete the work at your property, as described in the letter dated July 9, 2012, please sign the attached letter ("letter 7 09 2012 signed") and return it to me.

Thank you,

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

(See attached file: letter 7 09 2012 signed.pdf)

(See attached file: letter July 12 2012.pdf)

James Stark msg 120917a

Re: Completion of work at 202 E Maryland
jim jr
to:
MARY TIERNEY
09/17/2012 02:01 AM
Please respond to jim jr
Show Details

History: This message has been replied to and forwarded.

Dear Ms. Tierney,

Or should this be addressed to your legal team? I'm so tired of this 'Do you really want to fight the government stuff ' it's making me sick (literally). Do you even understand the concept of what government is? Or who works for who? I can go over my rights and 'all' the 'many' laws you broke, the way I was lied to and made hollow promises so you could cover your tracks (not accept responsibility for what you, your representatives, and contractors have done to me). As I've said 'many' times, I can prove everything I've said and say (you even tricked me into sending you 'some' of my evidence). Lets get to this email though. I emailed you yet another concession on my part just a while back (never got any kind of response at all). I had to call you 'twice' and explain I can now add 'refusal' to the list. Yeah, it's a 'refusal'. I have said just what you said because of what you are and have put me through all summer. My yard is dirt, mud, and as I tried telling you, is now 'covered' in mold. The 'EPA' covered my yard in mold! WOW! 1st as I've told you more times than I can count (you even wasted money that would have covered agreed work for you and 2 companions to come all the way here to get me to sign papers?). The thing is, why keep asking (you say you already had my permission, hmmm) me to sign papers? The only way I'm signing anything is if you complete the agreement made so I would not persue matters at that time. This email serves as written permission to 'so call' finish work. With the understanding that I will never stop my persuit to sue you for what you've done. I offered you many options out of this (again, everything is documented) and you refused everyone of them. Even at that, it will not be done as you outlined in your letters. The fill was never right is why it pooled and molded everywhere. You will not come in and just throw sod over it? The molded fill has to be removed and put in correct. That's just one example, again, why go into it all right now? Someone needs to get out here (and quick) to go over what is going to be done. Also as stated before, I reserve my right to be present when anyone is on my property (to insure you do no more damage, what you are suspose to, and other reasons).

James Stark msg 120917a

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From: MARY TIERNEY <Tiernev.Mary@epamail.epa.gov>
To: Not Responsive >
Cc: John Tielsch <Tielsch.John@epamail.epa.gov>
Sent: Monday, September 10, 2012 3:59 PM
Subject: Completion of work at 202 E Maryland

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Thank you,

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

(See attached file: letter 7 09 2012 signed.pdf)
(See attached file: letter July 12 2012.pdf)

To: Not Responsive

>

Cc:

Bcc:

Subject:

Re: Completion of work at 202 E Maryland

This message will be sent with a digital signature.

Mr. Stark,

I am looking into whether we can complete the work at your property this year. I will be in contact with you at the end of next week. We would have to schedule the work during the first or second week of October.

Thank you,
Mary Tierney

From: Not Responsive

>

To: MARY TIERNEY/R5/USEPA/US@EPA,

Date: 09/17/2012 02:01 AM

Subject: Re: Completion of work at 202 E Maryland

Dear Ms. Tierney,

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From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>

To: Not Responsive

>

Cc: John Tielsch <Tielsch.John@epamail.epa.gov>

Sent: Monday, September 10, 2012 3:59 PM

Subject: Completion of work at 202 E Maryland

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Thank you,

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77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

(See attached file: letter 7 09 2012 signed.pdf)

(See attached file: letter July 12 2012.pdf)

Hotline Call Log. Contents released separately to requester only.

[REDACTED]

[REDACTED]

[REDACTED]

Not Responsive

Hotline Call Log. Contents released separately to requester only.

[REDACTED]

Not Responsive

[REDACTED]

Hotline records are protected under the Privacy Act 5 U.S.C. § 552a. All EPA employees handling protected information have a legal and ethical obligation to hold that information in confidence and to actively protect it from improper uses. Except as specifically authorized, EPA employees shall not disclose, directly or indirectly the contents of any record about another individual to any person or organization. EPA employees who willfully release protected information, without authority, may be guilty of a misdemeanor and fined up to \$5,000. In addition, any employee violating the Privacy Act or EPA regulations is subject to disciplinary action, which may result in dismissal

To: Not Responsive >

Cc:
John Tielsch/R5/USEPA/US,
Bcc:

Subject:
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This message will be sent with a digital signature.

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77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

Re: Work to complete and request for access
jim jr
to:
MARY TIERNEY
07/31/2012 01:11 PM
Please respond to jim jr
Show Details

History: This message has been forwarded.

Dear Mary,

I really can't figure out just what it is you're trying to prove? Our you really seriously trying to prove that the government can do anything it wants to me (or others) no matter how much proof one has of the ongoing criminal actions and hardships caused? I can go over 'everything' in step by step detail again, but what's the point? It's done been said more than once already. I will tell you a couple of new things to add to the list since we last talked. The watering of the tree in the back yard has caused

two huge spots of 'mold' (I also have pictures of and documented) where I told you it was washing into my shed and destroying contents. The other is

the low spot where they ripped down my fence and has the orange fence in place (that I had to even ask you to do after weeks of leaving my property

unsecured). What does EPA stand for? Talk about ironic. You are now filling my yard with mold? Which also has been walked through and tracked into my house (before I noticed it was there). I had brought up in the last letter how the tree in the front hasn't even filled back with dirt, let alone watered this entire time (when I spoke of this been this being a

record breaking hot year and also brought up again my AC and what it was going through). Your moron water person waters the tree in the front now,

but not the one where he can see the yard dug up and the roots exposed and

looking like drift wood. No, he waters the one in the side yard where it is not dug up and no work is done? I'm serious again, how stupid is this guy? There's lot's more, but what do you care, right? I really truly don't

know how you sleep? I will now make my last and final concession in an attempt once more to get this done and over with. When your workers realized what they did they made all kinds of promises and agreements (again I can and have proved many ways). I gave up both lots on either side that they said they would do. I gave up taking the tree down (that everyone but your arborist has agreed is a major hazard now that your workers cut over a foot deep in some spots taking out already weak roots all the way around it). I also believe even your arborist would now say it

'has' to come down since you did not follow his wishes. As mentioned also before, I have not brought up replacing the pool that was destroyed and just months old, the items in the shed, and so many other things as well. I will now go back to your 'original' offer before I asked to be upgraded the few hundred dollars it was going to cost to replace with privacy fence

instead of the heavy duty chain link fence I had tore up. This seemed more

than reasonable since my property was entered and destroyed without my permission (and in fact you was told to stay off of and is even posted, again you know I have the proof of this), besides all the hardships that you have forced on me for months now. You don't see it that way though? So

now I am forced to give up the privacy fence after I was told (again have the proof) that if I gave up on the tree it would be done. I was lied to and tricked this entire time. So now I give up the privacy fence, but that

is my last and final concession. The fence is to be extended as said around the entire back yard with the gravel parking area scraped and gravel put in place as well as the drive gates (obviously). It is to continue up the back half of the yard up to the back of the house next door securing my back yard. If my present fence was ran straight back to the easement line and my present walk gate was used, that would amount to about 100 ft (or less) of new chain link fence and two drive gates, and scraping the parking area and gravel put down. The sidewalk would also run

to alley as agreed. The AC serviced. The fill dirt has also settled and washed out as well as has several soft, weak, or sink spots that will require reworked. This is not a standing offer at an attempt to settle this yet again. It has a 3 day response time. If you truly want this over I would think you would respond in one. You have in the past before. I also maintain that I be present at all times any work is done on my property to insure it is being done correctly and as agreed. If you accept

these terms I ask that you send Marcos out (since he is already aware of the scope of the project and made the 'original' agreement) and we can put

all the details in writing and get this done and behind us for once and all. I thank you for your time.

Re: Work to complete and request for access
jim jr
to:
MARY TIERNEY
07/13/2012 01:46 PM
Please respond to jim jr
Show Details

History: This message has been forwarded.

Dear Ms. Tierney,
You have got to be kidding me? Do you understand I have kept these emails as well as recordings, voice mails, ect? You did not worry about the tree or the A/C for a month while the temp was 108, but now that I brought up what you was doing you want to cover those tracks too? What about the tree in the front yard? It was scraped and cut as well and has had no water as well? The A/C people as I've done told you, told me personally (Before you stepped in and said no one could talk to me. After I was told EPA had no say over anyone else by Dave Novac? I was also told by Ken Adler, who said he was your supervisor that there was no 'block' stopping me from talking to anyone?) that it would make no sence and serve to purpose to service the unit before the work was completed as it would just surely get clogged up again do to nothing but just dirt and dust that is all that is now in my yard. You've got some nerve talking to me about 'verbal' agreements! That's why we are where we are. Verbal agreements (lies) that was told to me (as I've said and proved I have in multiple ways) that was never planned to be kept. Their purpose was to deceit and trick me so you could cover your crimal acts on me. You didn't need my permission (and for sure did not have) to trespass and destroy my property, why do you keep pushing

for it all the time now? I'm growing very tired of your tactics. I have contacted 'someone' (No, I don't think I'll tell you who this time, now that I know who the culprit is behind all this. I don't know how you live with yourself doing this to people in my condition?) who I am going to turn all my proof over to. You dug this hole 'literally' and I have been way more than reasonable in giving you a way out. You respond by bullying and intimidation? I've suffered two attacks since your so called 'meeting'. This has went on way to long and I've tried to warn you of my health and what you was doing to me (not to mention what you did to my fathers health by knocking me out of caring for him). By the grace of God I haven't been hospitalized, but keep on, I'm sure you'll put me there before it's over! I even gave more just to get this over and done and you still refused? I now stand firm with all that's continued to be done to me. I will not sign nothing till the agreed work is completed. Farther more, I now request that an ageement be expedited and put in writing to only be executed in my presence to ensure it is followed to the letter. Mary, I know I was told 'you can not fight the government', but I will not and cannot allow this to be done to me and do nothing. It is not and has never been my intention to fight the government, but it has been the governments to ignore my consitutional rights. I will foward all this to the president of the united states if I have to. Somewhere, someone will listen. I don't know how to send you the agreement that was made and I have drawn up the way you do. You have done wasted more on a trip for 3 of you to come down and get me to sign a paper that you was done told 'several' times I would not sign, than what it would have cost to complete the job? Come back down, but this time to honor and sign the agreement that was made that allowed you to continue the work and not get the police called as soon as you invaded and destroyed my property. I appeal to you to stop all this and do what is right and now way more than fair for you. I will send you the agreement written out and attach a picture of the drawing the way you do them if you request.

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>
To: Not Responsive
Sent: Friday, July 13, 2012 12:10 PM
Subject: Work to complete and request for access

Dear Mr. Stark,

Attached for your review is a revised letter from U.S. EPA regarding the work related to watering your tree and having an HVAC professional service your air conditioning unit. Although we think you've given us verbal approval to complete both tasks, we would like your signature to confirm that you will be allowing access to your property to complete the work.

If we are not able to access your property, we will continue to try to water your tree from the alley; however, the professional arborist we talked to recommended an alternative way of watering that would be more effective given the lack of sod around the tree. The recommendation is

that erosion mats be placed in the back yard to allow for better water retention and infiltration. Without these erosion mats present, it's unclear if continued watering of the area will provide sufficient moisture.

We are also requesting access to your property to allow for a service visit by an HVAC technician.

Please notify me if you would like to sign the attached letter granting access for the work outlined above. I will arrange for someone to stop by to add their signature to the letter.

As I've said previously, all future communication will be with either me or the U.S. EPA attorney. I have informed all contractor and subcontractor personnel to direct all calls to me.

Respectfully,

Mary Tierney
U.S. EPA (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604
312.886.4785 (o)
312.692.2483 (f)
tierney.mary@epa.gov

(See attached file: Letter James Stark 120712.pdf)

Sincerely
James Stark

From: MARY TIERNEY <Tierney.Mary@epamail.epa.gov>
To: Not Responsive >
Sent: Friday, July 13, 2012 12:10 PM
Subject: Work to complete and request for access

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77 West Jackson Blvd.
Chicago, IL 60604
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312.692.2483 (f)
tierney.mary@epa.gov

(See attached file: Letter James Stark 120712.pdf)

From: KEVIN ADLER/R5/USEPA/US
Sent by: Kevin Adler/R5/USEPA/US
To: John Tielsch/R5/USEPA/US@EPA, MARY TIERNEY/R5/USEPA/US@EPA
Cc: THOMAS SHORT/R5/USEPA/US@EPA

Date: Friday, July 06, 2012 01:24PM
Subject: Fw: Access to complete work is requested

Latest response from Mr. Stark.

----- Forwarded by Kevin Adler/R5/USEPA/US on 07/06/2012 01:23 PM -----

From: Not Responsive >
To: Kevin Adler/R5/USEPA/US@EPA
Date: 07/06/2012 12:48 PM
Subject: Re: Access to complete work is requested

Mr Adler,
There has been '0" attempt to timely complete this project. It has said idle for weeks now since a recorded conversation with Mary Tierney. I have been lied to and manipulated this entire time so that you (EPA and it's contractors) could cover it up. I have been more than fair and resonable about this. You have not held up to 'anything' you said you would do. You sent a arborist out here just to do exactly he said couldn't be done if my tree was to survive? I would now ask that he comes back and makes a new accessment of the tree after you have let it sit unwatered against his wishes for close to 3 weeks now and in 107- 108 degree weather after you ripped its roots out of the ground. I also tried to advise you about damage to my air conditioner done because you did not cover it when you dug up my yard over a month ago. This has also went unanswered in 107- 108 degree weather. I advised you also that I had a voice mail left by Marcos agreeing to and telling me 'not to worry' on the work that was to be done. Isn't that a 'binding verbal contract?' Now you think you're going to strong arm me into letting you get your way? I am exploring other avenues as I let you do for so long. I will let you know when I find out what I can do to you for what you have done to me. You left me this way for a month now with no concern for me, my safety or my health. It will rest on you what happens. Unless the agents of the EPA (Sultrac) show up with the agreement that me and Marcos had agreed on every since he tresspassed and committed numerous crimes against me you are wasting your time. Any delay in time it takes me to find out what I can do about this manner again will soley rest on you. I will leave you with this last thing to ponder since you seem to forgot my rights ... Amendments 4 and 5 of The United States Bill Of Rights protect the right to be free of unwarranted and unwanted government intrusion into one's personal and private affairs, papers,

and possessions. Article 12 of The United Nations Universal Declaration of Human Rights states, "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

From: KEVIN ADLER <Adler.Kevin@epamail.epa.gov>

To: Not Responsive >

Cc: John Tielsch <Tielsch.John@epamail.epa.gov>

Sent: Friday, July 6, 2012 8:51 AM

Subject: Access to complete work is requested

Mr. Stark:

I am writing on behalf of Mary Tierney, Remedial Project Manager for the Jacobsville Neighborhood Soil Contamination site in Evansville, to let you know that U.S. EPA's contractor for the cleanup, SulTRAC, will be attempting to hand-deliver an access request letter to you on Monday, July 9, 2012, so that U.S. EPA may gain your permission to access your property at 202 E. Maryland St., Evansville, Indiana, and timely complete our soil cleanup action at 202 E. Maryland.

I apologize that the cleanup hasn't gone as smoothly as we'd hoped at your address.

If you have any further questions on the completion of the cleanup of your property, please direct them to Mary Tierney, or to:

John Tielsch
Office of Regional Counsel
U.S. EPA Region 5
800-621-8431

Thank you for your patience in this matter,

ka.

Kevin Adler, Chief
Remedial Response Section #5
U.S. EPA Region 5
800-621-8431

FW: Jacobsville -- P-230 202 E. Maryland J. Stark
Dietrich, Chris
to:
MARY TIERNEY
06/22/2012 03:50 PM
Cc:
"Reiter, Cory", "Ore, Chris"
Show Details

History: This message has been forwarded.

Mary,

Below is the email from LES with Mr. Starks demands. As we discussed, LES will proceed with having an arborist give an assessment of the tree and then backfill the property so that it is not a hazard. I will be working on our responses to Mr. Stark's demands over the weekend. We will have a conference call at 1530 on Monday to discuss the matter further.

Thanks,

Chris

From: clehman@tractuscg.net [mailto:clehman@tractuscg.net]
Sent: Friday, June 22, 2012 9:57 AM
To: Dietrich, Chris
Cc: Mateus Marcos; Padilla Chris
Subject: Jacobsville -- P-230 202 E. Maryland J. Stark

Chris,

As we discussed early the property owner James Stark at 202 E. Maryland has increasingly made additional demands for the restoration of his

property. It has escalated to the point where if we don't agree he will a) not allow us to backfill his property, b) will go to the press, and c) start a class action law suit. We completed the excavation of the property but have not yet started backfilling or other restoration activities.

Yesterday afternoon M. Mateus and C. Padilla met with Mr. Stark to resolve issues (21JUN12, ~3:30 PM to ~ 4:30 PM). The result of this meeting is the following list of demands:

- 1) Wants a privacy fence w/gate all the way around his back-yard and the back of the lot next door. Does not want his existing chain-link fence.
- 2) Wants a concrete side-walk all the way to the alley from his back door.
- 3) Claims that the dust from our operations will cause his AC Unit to fail and will need to be replaced.
- 4) Claims his swimming pool got dirty with dust [Pool not located on property, next door east].
- 5) Claims his car is covered w/mud from the excavation [Car not located on property, next door west].
- 6) Chain link fence was damaged during excavation [Pre-excavation photo show damage].
- 7) Wants both lots on either side of his property re-graded/seeded/straw.
- 8) Wants the parking area on the lot to the east scraped and re-graveled.
- 9) Want us to dig all the way around his shed (camper shell on cinder blocks), full depth with vertical faces does not want 45 degree angle [We did re-move soils but left 45 degree to protect foundation].
- 10) Want us to remove side-walk/concrete next to shed.
- 11) Wants the large tree in his back-yard removed. Claims it has died from our operations and will fall.

We need guidance and intervention from SulTRAC/USEPA on how to resolve Mr. Stark's demands. Rough estimate the additional work between \$10K to \$15K.

Thanks

Carlton Lehman, P.E.
Managing Partner
(602) 300-3416

To: Not Responsive

>

Cc:

Bcc:

Subject:

Re: requested pictures

This message will be sent with a digital signature.

From: Not Responsive

>

To: MARY TIERNEY/R5/USEPA/US@EPA

Date: 05/16/2012 07:38 PM

Subject: requested pictures

Hi Mary,

Here are the requested pictures. I'm sorry it took so long. They are the originals that way you can see the date and time stamp on them. As bad as they look, if you zoom in on them you can see how spotty and dead the grass actually is. It also looks like they was only took from a couple of spots, but I assure you they was not. The spot they replaced is only about

10 foot by 25 foot and has a sidewalk at the side and front as well as through the middle. I tried to get all of it for you to see. You can pretty much see the contrast between the old and the new as well. As we discussed I am backing out of this because that quality of work (among other reasons) is not acceptable. I would rather keep what I have. I have also took pictures of my house as well with the same date and time stamp. I am sorry and it is really not my intention to get anyone in trouble. As we also talked about, this just is not the quality of work I've seen done over the last few years and I also feel mistakes have been made. I simply want my side represented correctly and can not find a better way than to present my side to you as I have when we talked. I do have security cameras and other ways of proving everything we talked about is accurate and true. Please feel free to contact me at anytime. Thanks again Mary and

I really am sorry for any problems this may cause... I tried several times

to send these, but it kept saying file to big or server error. The numbers

on the pictures are the date and time, I do have the originals, but resized these files to see if they would go through. Sorry again for the delay. [attachment "2012-05-16 12.29.41.jpg" deleted by MARY

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